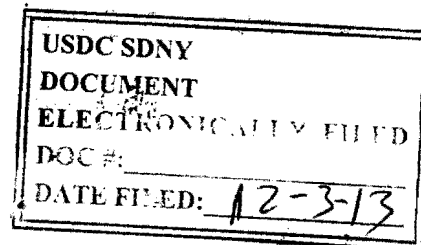


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



NEW YORK UNIVERSITY,

Plaintiff,

-against-

GALDERMA LABORATORIES, INC.,

Defendant.

**PARTIAL JUDGMENT**

12 Civ. 8169 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Pursuant to the Summary Orders dated April 17, 2013 and October 31, 2013 granting summary judgment to plaintiff, New York University ("NYU") against defendant, Galderma Laboratories, Inc. ("Galderma"), for unpaid royalties and for attorneys' fees due under their Research, License and Option Agreement dated December 1, 1998, as amended, (the "License Agreement"), and

Pursuant to the Stipulation between the parties so ordered July 26, 2013, the summary financial report of Galderma, certified by its Chief Financial Officer in accordance with the License Agreement and referred to in said stipulation, and subsequent proceedings between the parties, the amounts of unpaid royalties and attorneys' fees under the License Agreement are fixed as follows:

- (i) The unpaid royalties owed by defendant Galderma to plaintiff NYU for the period through June 30, 2013, plus interest on past due amounts through November 20, 2013, are fixed as \$1,365,545.18; and
- (ii) Plaintiff NYU's attorneys' fees through October 31, 2013, which defendant Galderma is obligated to pay, are fixed as \$178,728.41;

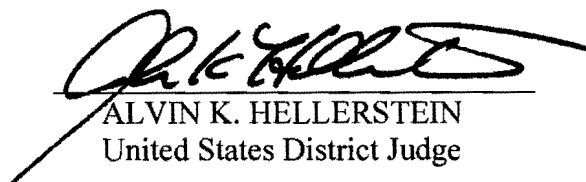
ACCORDINGLY, IT IS HEREBY ORDERED AND ADJUDGED that plaintiff NYU shall have judgment against Galderma partially on Counts I and II of the Complaint in the amount of \$1,544,273.59, plus interest at the rate of 7.28% until paid, with execution to await finality. I decline to certify, pursuant to Federal Rule of Civil Procedure 54(b), that there is no just reason for delay in entering final judgment since the remaining proceedings should not be lengthy, collectability does not appear to be in issue, and appellate review will benefit from a full record.

IT IS FURTHER ORDERED AND ADJUDGED that plaintiff NYU and defendant Galderma retain all rights and obligations under the License Agreement not determined by this Partial Judgment, and may continue this lawsuit with regard to rights and obligations accruing subsequent to the dates referred to in this Partial Judgment. I retain jurisdiction over all proceedings until final judgment.

SO ORDERED

Dated:

Dec. 3, 2013  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge